

2254	1983
FILING FEE PAID	
Yes	No
HYP MOTION FILED	
Yes	No
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Court	Pro Se

9th District Federal Courts. California, Arizona.

FILED

Districts of Central, Southern, and Phoenix, Pres.

JAN 28 2008

380 Front Street Rm 4240, 312 North Spring Street, CLERK U.S. DISTRICT COURT
401 W. Washington St. Spcl Phoenix, AZ 85003-2118 BY SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

5 San Diego Ca, 92101 Los Angeles Ca, 90012

6 James Lynn O'Hines

CASE NO.
R.V.-08-172 FRNP 34.3.23.95

7 v.

18 USC § 793; 18 USC 1201

8 Kenneth S. Countryman P.C. Esq. (et al.)

Informa purpuris 28 USC § 1415

9 Does: One to Five, Fed. R. Civil P. 5 (c).

'08 CV 0174 BTM RBB

10

11 Petitioner sues Attorney at record K.S. Countryman P.C. as C. 910.

12 affiliate of GEICO Ins. Co. and All-State Ins. Co. of

13 Kern, Kings, County of California and San Diego County with,

14 C.C.P.O.N. / P.O.N. under Calif., Ariz. Dept. of Corr. &

15 SSA parolee unit w/ S.D.P.N., D.E.N., I.N.S., F.B.I., C.I.A.

16 Does 1 to 5 or/na Fed. R. civil proc. 5. (c) Numerous defendants.

17

18 Espionage Act and Federal Kidnapping Act, 1 Am.

19 Jur. 2d Abduction and Kidnapping § 14 at 185 1994, and Federal

20 Tort Claims Act, 35 Am Jur. 2d (F.T.C.A. § 1 at 296

21 1967), Judge Andrew G. Klein, duplicitous appeal, private person, federal

22 employees, impossible feud, state to state, interdepartmentally

23 Missouri, California, to Arizona and Illinois. / enclosed as Tort No 2.

24

25 Volume 17 A of the Arizona revised statutes prohibit certain conduct.

26 Pursuant to Rule 17 Ariz R. 5 cr., the complaint may be expunged in

27 three years. Conduct of pre-meditated or pre-conceived conspiracy as

28 case law: Chicago Miracle Temple Church Inc v. Fox N.D. Ill. 1995 901

Tort No. 2.

1 F-Supp. 1333 pre-conceived conspiracy ~~con~~ 7.5 (1), is a
 2 claim hereby set forth of petitioner trapped in a "Badger Game"
 3 with local authorities state to state to capture someone in a
 4 compromising position threat of prosecution or exposure as a
 5 cover-up for "off the record, interdepartmental investigations"
 6 state to state by active supervision: (Patrick v. Burger 486
 7 U.S. 44 100-01 108 5cr 1658 1663 (1988), ... sic ...
 8 stems from the recognition that where a party is
 9 engaging in the anti-competitive activity there is a
 10 real danger that he is acting to further his own
 11 interest, rather than that of the states, adverse to
 12 policy and Deps. of Corr. objective for Re-habilitation of
 13 felons. This "Real Interest" is racially, sexually, religiously,
 14 reverse-discriminatory by use of conglomerated to state with
 15 private contract community services divisions providers to public
 16 a non-profit anti-competitive affiliate practicing alternative
 17 action in the course of Behavioral science analysis, (the study
 18 of human behavior psychology, sociology, anthropology), the
 19 defendant(s) have practiced "espionage": statute: 18 USC § 793
 20 upon plaintiff state to state that has exposed liabilities for
 21 failed services contract(s), ineffective assistance of counsel
 22 upon appeal, and denied liberty interests.

23 The "Calandra Rule" inv: property illegally taken by
 24 police (4th Amend. U.S. Const.) United States v. Thompson 414 US 338
 25 941 5cr 613 (1984) 42 USC § 1983 Tort, Civil statute(s)
 26 Cause of action: Contract ☒ 110 Insurance All State, GEICO
 27 Ins. Companies: Torts ☒ 362 Medical Malpractice - personal
 28 Injury. I.N.S. Deportation ☒ 460 and Forfeiture / Penalty
 29 Cause of action: ☒ 625 Drug related seizure of property.

1 pending San Diego County case (S) : James Lynn Hines v.
 2 Cor Rep Dir. Ms. Jane Shell et al. parole of C.S.O. Supervisor
 3 and James Lynn Hines v. Wood filed 12.12.07 orders
 4 for re-assignment of cases to out-of-county judge (S)
 5 case no. 2007-00078120 cu. po-CTL / 2007,00078121 cu-
 6 co-CTL. Civil Complaints at 220 W. Broadway, San Diego,
 7 Ca. 92101 tele. no. 619-531-3795. (330 W. Broadway
 8 San Diego Ca. 92101-3827.#). "Accessory before the fact"
 9 State v. White NJ 1984 484 A 2d 641 98 NJ 122 Model
 10 penal code § 206 annot (1997). Telephone Systems
 11 Communique Internet audio-video and Television Surveillance
 12 or/as cyber "talking - stalking" Electronic Surveillance 18 USC §§
 13 2510-2520 video camera United States v Torres 751 F.2d 875
 14 7th cir (1984) Co. defendant is William Torres. A split
 15 sentence, bilingual, divided or separate trial was
 16 conducted w/ public defenders office Robert S. Briney as
 17 co-defendants lawyer and Maria L. Schutter as attorney
 18 for petitioner for: "Motion in limine" and "Rule 11 Motions"
 19 "Motion of Direct Appeal." and ineffective assistance of
 20 advisory counsel after a "Motion to dismiss counsel"
 21 was filed by declarant / appellant / petitioner.

22
 23 The use of physical force, justifiable not criminal, A.R.S.
 24 13-1006 : incapable in an individual capacity, Justifiable
 25 due to error dropping and communications in/out of custody ARS.
 26 13-3001 : as a parent of a missing child with Cindy
 27 Smith and Ambrosia Celler - Smith of Flaysmatt Az and East
 28 County San Diego Calif. Correctional Officers. ARS-13-1003
 29 Conspiracy to promote, engage in conduct constituting the offense.

1 ARS. 13-403 (1) a parent ARS. 13-404 self defense
 2 ARS. 13-406 Third party defense due to kidnapping ARS.
 3 13-1304 ARS. 13-408 property brochure with country
 4 Western Song lyrics valued at 7700.00, San Diego city
 5 college applications valued at 5000.00 semester enrollment
 6 as a disabled student registration filed as class attendee.
 7 miscellaneous items personal effects: priceless and back pack,
 8 and damaged purchase of a bicycle value at 50.00 approx.

9
 10 "D & L Auto Collision" at scene of crime with owner-
 11 part Insurance Companies with "Health Systems Inc." (a methadone
 12 Clinic Network), "Behavioral Science Systems, Inc." a out-patient
 13 psych counseling group with "Banner Medical Group" a jewish-
 14 protestant and St. Thomas of Aquinas parish or Diocese inter-
 15 active providers of services w/ law enforcement oppressing
 16 petitioner in pursuit of justice subjected to duress by Con Rep
 17 Agencies of U.S.A. a civil jurisdiction respondent to
 18 result in physical serious injuries; intentionally; knowingly; and
 19 recklessly; w/ prison; 1989 to 2004, (1982, 1981 ---
 20 and 1990? Cancer of females; prisoners mothers in Missouri,
 21 Illinois, California, and Arizona) validated:), Medical Malpractice(s).

22
 23 Surveillance of defendant is at: (1) 1726 7th Ave. (2) Rockingham
 24 Brentwood Ca. (3) Webster Groves, Mo. Lockwood area: Tom Zoumpsky
 25 (4) San Diego, Del Mar Ca. (5) Bayle Ave St. Louis Mo. (6)* Florence
 26 State Prison (7) India St. San Diego Downtown Executive Suites
 27 (8) Padre Plaza Bldg - Camino del Rio South San Diego Ca. (9) San
 28 Jose Bonn & Bonn Bldgs: (10) Jath Inc. Wilshire Blvd. # subjecting
 (4) 29 petitioner to conditions of duress in part of custody. (Espionage.)

1 (10) And "Synthetic Trips" at 44th and University Ave. \$ 600.⁰⁰
 2 deposited with defendant(s) to result in legal malpractice
 3 due to conflict of interest over employee affiliation at
 4 Browns Market at De La Vina in Santa Barbara Ca. 1985
 5 Oct to Dec.

6
 7 (11) Plaintiff has retroactive federal custody for investigatory issues
 8 as to seized property 3054 K. Street I.M.S.
 9 deportation illegal aliens rented approx 1984 to 1985
 10 seized to 1995 18 U.S.C of Espionage Taliban area
 11 businesses liquor store Muslim Iranian 30th & K Street.

12
 13 (12) Missing of Simpson C.O. Rom (remake graphic Arts
 14 "Ken Karmig style") --- as original at associates condo
 15 in Del Mar 1996-97 Defendant in adjoining condo on
 16 property Officers % J. Kowolski, L. Hissong, O. Hagen
 17 present 2nd or 3rd day of arraignment for Simpson in
 18 Los Angeles Ca.

19
 20 (13) 1989 Medical Malpractice A.M.A. Living will & Testament
 21 St. Louis Mo. Jewish Hospital Clayton & Big Bend Rds w/ Docs.
 22 Seminal full blood. 1982-85 approx 5/12/0/w, transmission.

23
 24 (14) Missing exploited child DOB 1990 St. Louis to San Diego
 25 to Phoenix ARS 36 339 (C) (3) by defendant.

26
 27 (15) Criminal Infringements: Capital Records by defendant(s) for
 28 Keith Urban e/w songs[©] value \$1,000,000.00 Karu Karlin wit status.
 29
 (5) 24 Allocations and Admissions by party opponent Fed R Crim P.

32 (c) (3) (c) Statement not subject to cross examination
or as explanation for mercy or conduct victim
Allocution Fed. R. of Evid 801 (d) (2)

Note Criminal Chrono History: Full blood Native American
Indian Great Grandmother, murder victim 1950s K.K.K.
Mississippi Full blood Grandfather NEIE Homocides
etc. (Shot and killed perp/suspect in Mississippi)
Illinois into. Mother and daughter of petitioner full and 1/2
bloods.

15th Amendment U.S. Const. Reverse Racial Discriminations Evidence.[#]
"St. Thomas of Aquinas Church" w/ K.K.K. Catholic
Diocese Parish San Diego to Phoenix 9/04 to 10/04
pre-post Tsunami at New Orleans. to E.P.R.O 2-17-10.[#]

Due to lack of, or overburdensome security supervision by
Agencies at parole and c.s.o. State and Federal Appellate
denials, custody access to programs, community services
locally San Diego to Phoenix is/are inadequate, access
to attorney, rehabilitation w/ disability § 504 of the Rehabi-
litation Act of 1973 29 USC § 794 (a) Title II of the
Americans with Disabilities Act 42 USC § 12131 et seq.
Goodman v. Georgia a state prisoner has the right to sue
for monetary damages 8th Amendment cruel & unusual
treatment(s) smelt housing at Florence denies access to
participate in programs solely due to alleged Rule 11 and/or
blind right eye w/out safety glasses, found incompetent by Rule
(6) 11 education, employment disabled appliances glasses denied.

1 Federal Statute: 18 USC § 1961 (4) ☒ 470 Racketeer
 2 Influenced and corrupt organizations of 42 USC § 1983
 3 civil action: United States v. Turkette 452 U.S. 576
 4 101 Stat 2524 (1981) Case law Organizational Victim:
 5 Statute: 18 USC § 18 18 USC § 3041 (A) State
 6 local officer: and Fed. R. crim. P. 12.4 a)(b) 25(1)
 7 where \$25,000.00 a month since parole as alien of
 8 Malley, Jackson K86484 from FSP to ASH Civil State Hosp.
 9 parole to Con Rep. 2004 42 USC § 1396 (c) \$500.00
 10 a day, exceeds \$75,000.00 --- --- ---
 11 A Federal custody consideration is a colorable claim
 12 Satisfy other personal injuries in/out of custody
 13 pre-post conviction for agg. assault ARS 13-1204 (F3)
 14 Parole Violation ARS 13-3842 (F4) (w/ alien)
 15 Place of arrest Pierce of Grand Ave Phoenix
 16 AZ - D & L. Auto Collision is repeat racketeered
 17 crime w/ defendant(s) Oct 1985 D.U.I San Diego
 18 California manslaughter of Tim Gobel, injuries of
 19 petitioner (passenger). Gang or/and pattern of Association
 20 exist as group of people to show pre-meditation and/or
 21 pre-conceived conspiracy w/ church group, State officials
 22 under "civil supervision" of Con Rep Parole # C-S.O.
 23 agents. Plaintiff in suit requests a Federal Hospital
 24 transfer for Validation of Competency Fed R. civil P. 35.
 25 "Calit civil code of proc § 2032", Deposition: Fed. R. civil P.
 26 30 (b)(6) is needed by Con Rep Agencies responsible supervisor
 27 Fed. R. of Evid 706. Medical opinion outside of state
 28 jurisdiction(s) forthwith to Springfield, Mo. prays petitioner,
 29 January 14th 2008 James Lm Harris

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM)

I (a) PLAINTIFFS

James Lynn O'Hines

Kenneth S. Countryman

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

2254 1983

FILING FEE PAID
Yes ☒ No ☒

IFP MOTION FILED
Yes ☒ No ☒

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Court ☒ Press ☒

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

FILED

JAN 28 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *KRM* DEPUTY

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

James Lynn O'Hines
Box 3400
Florence, AZ 85232
K-86989

ATTORNEYS (IF KNOWN)

'08 CV 0174 BTM RBB

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | |
|--|--|----------------------------|----------------------------|
| PT | DEF | PT | DEF |
| <input type="checkbox"/> 1 Citizen of This State | <input type="checkbox"/> 1 Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input type="checkbox"/> 2 Citizen of Another State | <input type="checkbox"/> 2 Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> 3 Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act 29 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(e)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights			

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions):

JUDGE

Docket Number

DATE 1/28/2008

SIGNATURE OF ATTORNEY OF RECORD

R. Mules